



Order Filed on August 1, 2019 by
Clerk U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

RAS CITRON, LLC

130 Clinton Road, Suite 202
Fairfield, New Jersey 07004
Telephone Number: 973-575-0707
Attorneys for Secured Creditor

Laura Eggerman, Esq. (LE-8250)

In Re:

Michael S Weston,

Debtor.

Case No.: 18-21762-RG

Chapter: 13

Hearing Date: March 20, 2019

Judge: Rosemary Gambardella

**AMENDED AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR
RELIEF FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: August 1, 2019



Honorable John K. Sherwood
United States Bankruptcy Court

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Secured Creditor: HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR NOMURA ASSET ACCEPTANCE CORPORATION, ALTERNATIVE LOAN TRUST, SERIES 2007-2

Secured Creditor's Counsel: RAS CITRON, LLC.

Debtors' Counsel: Scott D. Sherman, Esquire.

Property Involved ("Collateral"): 11 Camelot Way, Parsippany, New Jersey 07054

Relief sought: ☒ Motion for relief from the automatic stay
☐ Motion to dismiss
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Secured Creditor's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 02 months from 03/01/2019 through 04/01/2019.
- The Debtor is overdue for 02 payments from 03/01/2019 through 04/01/2019 at \$3,226.04 per month.

Funds Held In Suspense \$2,647.88.

Total Arrearages Due \$3,804.20

2. Debtor must cure all post-petition arrearages, as follows:

- Beginning on 05/01/2019, regular monthly mortgage payments shall continue to be made in the amount of \$3,226.04.
(30) \$85
- The amount of \$3,804.20 shall be capitalized in the Debtor's Chapter 13 plan. Debtor must file an Amended Plan, ~~and Schedules I and J~~ within ~~fifteen (15)~~ *thirty* days of the entry of this Order. The debtor's monthly payment to the Chapter 13 Trustee will be modified to an amount necessary to appropriately fund the plan in accordance with this order

3. Payments to the Secured Creditor shall be made to the following address(es):

■ Regular monthly payment: Ocwen Loan Servicing, LLC
ATTN: Cashiering Department
1661 Worthington Road, Suite 100
West Palm Beach, FL 33409

■ Immediate payment: Ocwen Loan Servicing, LLC
ATTN: Cashiering Department
1661 Worthington Road, Suite 100
West Palm Beach, FL 33409

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

5. Award of Attorneys' Fees:

- ☒ The Applicant is awarded attorney fees of \$350.00 and costs of \$181.00.

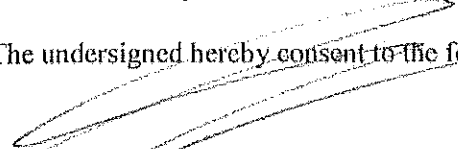
The fees and costs are payable:

- ☒ Through the Chapter 13 plan.

☐ To the Secured Creditor within _____ days.

☐ Attorneys' fees are not awarded.

The undersigned hereby consent to the form and entry of the foregoing order.



Scott D. Sherman, Esquire.
Attorney for Debtor(s)

Date: 5/1/2019

/s/ Laura Eggerman

Laura Eggerman, Esquire.
Attorney for Secured Creditor

Date: 07/17/2019